

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

KIMBERLY ALLEN, Personal
Representative of the ESTATE
OF TODD ALLEN, Individually,
on Behalf of the ESTATE OF
TODD ALLEN, and on Behalf of
the Minor Child PRESLEY
GRACE ALLEN,

Plaintiffs,

vs.

UNITED STATES OF AMERICA,

Defendant.

Case No. A04-0131 (JKS)

DEPOSITION OF SUSAN K. DIETZ, M.D.

Pages 1 - 59, inclusive

Friday, April 15, 2005, 9:44 a.m.

Anchorage, Alaska

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Susan Dietz, M.D.

Deposition

April 15, 2005

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1 out to me. But that they were out shopping for paint,
2 and that he had developed a headache; and that he had
3 gone into another hospital and was given pain
4 medication; and that then he was discharged back to
5 the hotel and continued to have a headache. And I
6 don't remember exactly the details about the headache
7 then.

8 **Q. Okay.**

9 **A.** And that then -- and then as I put in here,
10 that she was concerned in the afternoon because of his
11 breathing and had called -- I don't -- this is
12 actually going straight off of here. I don't actually
13 recall this direct conversation.

14 **Q.** And just to be clear, when you say "going
15 straight off of here," are you looking at Exhibit 22?

16 **A.** Exhibit 22.

17 **Q.** And let me just clarify what that is.
18 Exhibit 22, do you recognize that as a dictated note
19 from you?

20 **A.** Yes.

21 **Q.** Okay. From, obviously, Providence, the ER.
22 Is that correct?

23 **A.** Right. This is my emergency room encounter
24 with this patient.

25 **Q.** Let me just ask you generally about how you

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1 do the dictated notes in the ER. What's generally
2 your practice? Do you write out handwritten notes and
3 then dictate? Or how does this work?

4 **A.** In a case like this, the actual emergency
5 handwritten record probably would have very little
6 information on it. Because of the code, it's
7 generally printed a few minutes after they're there,
8 and I don't generally have the chart in my hand as I
9 go in. So often there's nothing on that record. And
10 then the dictation is done within 24 hours of seeing a
11 patient.

12 **Q.** Okay. So is it after you have kind of dealt
13 with the patient that you go dictate or --

14 **A.** It's completely -- it's completely after I
15 have dispositioned them that I dictate.

16 **Q.** If the patient was seen in, let's say, you
17 know, the late afternoon, early evening hours, do you
18 remember how much time you ended up spending on this?

19 **A.** On the dictation or --

20 **Q.** I'm sorry. On the patient.

21 **A.** Oh, yes. Just because I dictated that I was
22 in there for over an hour.

23 **Q.** And what does that generally mean? Is there
24 a significance to being --

25 **A.** That's a very long time.

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1 **Q.** That's a long time?

2 **A.** That's a very long time, uh-huh. That
3 doesn't actually mean in the room, but that means my
4 time with this patient and his care.

5 **Q.** And that's unusual to spend that much time
6 in the ER?

7 **A.** Well, he was a critical patient, so there
8 was a lot of family consultation, consultation with
9 different physicians. And yes, that's -- I mean, in
10 terms of the emergency room, if I took an average of
11 how long I would spend with a patient, it might be 15
12 or 20 minutes. But that's an average of 30 patients I
13 see in a day.

14 **Q.** Okay. Would the notes -- and I want to ask
15 you specifically about looking at Exhibit 22. So the
16 information you had put down in terms of "Today, when
17 he had a severe headache he apparently presented to
18 ANS" -- and what is ANS?

19 **A.** Well, it really should be ANMC, but I refer
20 to it as ANS.

21 **Q.** Sure. Because that's the way it used to be
22 referred to?

23 **A.** Yeah.

24 **Q.** Okay. -- "ANS emergency department and was
25 being diagnosed with it being facial pain. He was

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1 discharged back to the hotel."

2 **So was this based on what the wife was**
3 **telling you?**

4 **A.** Yes. I would presume that the wife gave me
5 this history.

6 **Q.** And "Per his wife, he had so much headache
7 that he took pain pills he had been given. She says
8 she did not visually see him take them; however, she
9 suspects he might have taken several because his
10 headache was so bad."

11 **Again, is that based on your discussion with**
12 **the wife?**

13 **A.** Right.

14 **Q.** Okay. "She states she called for advice to
15 ANS and states that she was instructed that it was
16 most likely a medication reaction. At 5 o'clock, this
17 unfortunate gentleman stopped breathing and was noted
18 to have blood coming from his mouth on EMS arrival."

19 **And again, was that based on something the**
20 **wife had told you, or was that based on --**

21 **A.** That probably, I would guess, came from the
22 medics, that part, in terms of -- in terms of
23 physically that he had blood coming from his mouth.

24 **Q.** All right. Under "Review of Systems," it
25 says "CNS." And is that central nervous system?

7 (Pages 13 to 16)